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# DRIGIN:

NO 82-6720- (Friss APPEN)

IN THE UNITED STATES SUPREME COURT

DIRECT APPEAL

FROM

RECEIVED

JUN 2 8 1983

OFFICE OF THE CLERK SUPREME COURT, U.S.

THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

NO. 82-1626 (REMOVAL - Civil Rights Act of 1964)

(CA No. 82-1294) (CA 80. 82-1359)

TOMLINSON COURT APARTMENTS

V.

OLGA OGROD, Appellant

Supplement to

JURISDICTIONAL STATEMENT

Filed 6-98-83

Olga Ogrod Tomlinson Ct. Apts.F-7A 1761 Foster Street Phila., Pa. 19116 NO. 82-6720

IN THE UNITED STATES SUPREME COURT
FROM THE UNITED STATE COURT OF AFPEALS
THIRD CIRCUIT
TOMLINSON CT. UPTS.

V.

OLGA CGROD, APPELLANT

NO. 82-1294 and 82-1359 (C.4.)

U.S. District Court No. 82-1626 (Removal related to 82-1409) (Discrimination in Housing)

#### CERTIFICATE OF SERVICE

This is to certify that Appellant, Olga Ogrod, has mailed the attached copies of AFFELLANT'S NOTICE OF RECAIL OF MANDATE AND DEMAND TO TRANSMIT RECORD TO THE UNITED STATES SUPREME COURT AS FAR FEDERAL RULES OF AFFELLATE PROCEDURE to

Philadelphia Fair Housing Commission City Hall Annex - Phila. 19107

Edward Hughes, Req. Suite 905 - One Montgomery Plaza Norristown, Fa. 19401

by First Class Meil U. S. ostage prepaid

this day, May 27, 1983.

Tominson C. Apts. F-7A 1761 Foster Street

Phila., Pa. 19116

NO

IN THE UNITED STATES SUPREME COURT

DIRECT APPEAL

FROM

RECEIVED

JUN 2 8 1983

OFFICE OF THE CLERK SUPREME COURT, U.S.

THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

No. 82-1626 (REMOVAL - Civil Rights Act of 1964)

(CA No. 82-1294) (CA No. 82-1359)

# MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS WITHOUT PAYMENT OF COSTS OF PRINGING OF RECORD - AFFIDAVIT

APPELLANT, Olga Ogrod, being duly sworn according to law deposes and sas in support of Motion for leave to Proceed without being required to repay costs of fees:

- 1. She is the Appellant and her Civil Rights are being violated under the Civil Rights Act of 1964.
- 2. She has <u>reached poverty</u> after twelve years of payment of legal costs. Appellant has paid all costs in lower court proceedings in multiple actions and is unable to pay costs of said cause nor give security for same.
- 3. I believe I am entitled to redress I seek in said cause.
- 4. The nature of said case is briefly stated. Appellant discriminated against because of her National Origin in a Discrimination in Housing Suit with a lease that is different. In an eviction, she had same removed to the U. S. District Court under Civil Rights Act of 1964. An Appeal has been timely filed in Removal Case, but the lower courts have continued actions and remanded record to state coupt instead of transmitting same to U. S. Supreme Court with multiple requests made.

APPELLANT FURHTER STRIES FACTS SET FORTH IN JURISDICTI CHAL STATEMENT ARE TRUE AND CORRECT TO BES T OF KNOWLEDGE, INFORMATION,

VELIEF. SWORN TO AND SUBSCRIBED O caderod, Affiant - Appellant

IN THE UNITED STATES SUPREME COURT

DIRECT AFPEAL FROM THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

NO. 82-1626 (REMOVAL - Civil Rights Act of 1964)

(CA No. 82-1294) (CA No. 82-1359)

TOMLINSON COURT APARTMENTS

v.

olga OROD, Appellant

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IN THE UNITED STATES SUPREME COURT

DIRECT APPEAL FROM THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

NO. 82-1626 (REMOVAL CIVIL RIGHTS ACT OF 1964)

(CA No. 82-1294) (CA No. 82-1359)

TOMLINSON COURT APARTMENTS

OLGA OGROD, Appellant

JURISDICTICMAL STATEMENT

#### RECEIVED

JUN 2 8 1983

OFFICE OF THE CLERK SUPREME COURT, U.S.

#### (A) QUESTIONS PRESENTED

- 1. This instant case is presently on Appeal under the Civil
  Rights Act of 1964 U. S. Supreme Court 82-6720 28USC 1443(1)
  Removal. This instant case was granted a stay during Appeal
  to the U. S. Supreme Court if Appeal timely filed. Said
  Appeal timely filed with original mailing tolling the time.
  (see exhibit)
- 2. Is order made by a single judge of the U. S. District Court valid remanding record to state court instead of transmitting same to the U. S. Supreme Court where Civil Rights Appeal of 1964 is timely filed?
- 3. Does an Assistant Clerk in the U. S. Supreme Court have a right to rule on a Demand directed to the Justices of the U. S. Supreme Court? Does same clerk have authority to practice law while holding position as clerk?

IN THE UNITED STATES SUPREME COURT

DIRECT APPEAL FROM THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

NO. 82-1626 (REMOVAL - CIVIL RICHTS ACT OF 1964) (CA No. 82-1294) (CA No. 82-1359)

TOMLINSON COURT APARTMENTS VS. OLGA OGROD, APPELLANT

#### JURISDICTIONAL STATEMENT

#### (B) PARTIES TO PROCEEDING

NO

Tomlinson Court Apartments (George C. Weiss, James Kravitz, Harriet B. Kravitz, Alvin Rosenberg)
Olga Ogrod, Appellant

#### (C) TABLE OF AUTHORITIES

- 1. U. S. CIVIL RIGHTS ACT OF 1964 Removal 1443 direct appeal to the U. S. Supreme Court decision of a three-judge panel in U. S. District Court.
- 2. U. S. SUPREME COURT RULES PART VIII Rule 28 -2
  Tolling the time for filing when sent by mail per affidavit
- 3. 28 U. S. C. 2101 (a) 28 USC 1252 gives Appellant right of direct appeal because case involves constitutionality of an act of Congress.
- 4. 28 U. S. C. 2101 (b) gives Appellant right of direct appeal because case involves Civil Rights Act of 1964.
- 5. Fair Housing Act of 1968 Public Law 90-284 (Discrimination in Housing National Origin) falls within the Civil Rights Act of 1964 and directly appealable as part of a Removable Action from state court.

#### (D) REFERENCE TO OFFICAIL AND UNOFFICAIL REPORTS OF ANY OPINIONS

- Order of April 18, 1983 is not valid as Appeal was timely filed as per certification of mailing on February 28, 1983
- Order of April 18, 1983 is a violation of Appellant's Civil Rights under the Civil Rights Act of 1964 as same Appeal was timely filed on February 28, 1983 and same record

should be transmitted to !!

NO

IN THE UNITED STATES SUPREME COURT
DIRECT APPEAL FROM THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

NO. 82-1626 (REMOVAL-CIVIL RI HTS ACT OF 1964) (CA No. 82-1294) (CA No. 82-1359)

TOMLINSON COURT APARTMENTS V.
OLCA OGROD, Appellant

#### JURISDICTIONAL STATEMENT

#### (E) GROUNDS ON WHICH JURISDICTION OF COURT IS INVOKED

This case falls within the Civil Rights Act of 1964 with Removal per 1443 - Fair Housing Act of 1968 PL 90-284 (Discrimination in Housing - National Origin). Case is already on Appeal U.S. Supreme Court 82-6720 - timely filed on February 28, 1983 to stay mandate with request to transmit records.

The Civil Rights case of 1964 now on appeal 82-6720 filed within time to stay lower court proceedings has not done so and U. S. Bistrict Court and U. S. Court of Appeals have continued actions.

Order remanding record of April 18, 1983 is not valid as Appeal was timely filed on February 28, 1983.

#### (F) CONSTITUTIONAL PROVISIONS

The Civil Rights Act of 1964 (28 USC 1447-1443 (1) is unconstitutional as it does not seem to apply to people of all national origins. The Fair Housing Act of 1968 is unconstitutional as it does not apply to people of all national origins. The laws enacted by Congress do not seem to apply to all people.

The U. S. Supreme Court Rule PART VIII - Rule 28 -2 is not valid as it does not apply to all national origins.

Order made by a single judge remanding case to state court is in violation of all above stated and must be vacated, record transmitted to U. S. Sppress Court with a Recall of Mandate. The Assistant Clerk does not have authority to practice law while NO

IN THE UNITED STATES SUPREME COURT

LIRECT APPEAL FROM THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

NO. 82-1626 (REMOVAL -CIVIL RIGHTS ACT OF 1964) (CA No. 82-1294) (CA No. 82-1359)

TOMLINSON COURT APARTMENTS V.
OLGA OGROD, Appellant

#### JURISDICTIONAL STATEMENT

#### (G) CONCISE STATEMENT

Appellant has filed Appeal in Removal -TIMELY FILED ON Februzry 28, 1983. The lower courts do not have jurisdiction to continue actions during Appellants stay with Appeal timely filed. Order of April 18, 1983 remanding record to state court is unconstitutional and in violation of Appellant's Civil Rights under Civil Rights Act of 1964 - and made by a single judge. Appellant has made multiple formal requests for transmission of same to the U. S. Supreme Court.

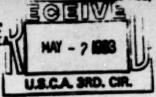
#### (H) WHY QUESTIONS ARE SO SUBSTANTIAL

This involves the Civil Rights Act of 1964, Fair Housing Act of 1968 and the U.S. Supreme Court Rules - PART VIII -Rule 28-2 If any act or rule of court discriminates against a national origin it is unconstitutional.

Respectfully submitted,

F11ed 6-28-83

#### IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA



TOMLINSON CT. APTS.

CIVIL ACTION

NO. 82-1626

No. US C. A. # 1294 -82

OLGA OGROD

No.CT. Com. Pl. Oct. Term 1981 -382 Ct. Com. Pl. May Term 1982 No.

## NOTICE OF APPEAL TO THE UNITED STATES

APPELLANT, Olga Ogrod, appeals from the attached order dated April 18, 1983 to the United States Supreme Court. Order dated April 18, 1983 is discriminatory and in violation of Appellant's Civil Rights entered during Appellant's period for filing a Jurisdictional Statement to the United States Supreme Court. - Multiple Supersedeas Bonds filed in all courts.

Appellant, Olga Ogrod, further appeals for a denial of due process and equal protection of the laws under the United States Constitution and the Remand of State Records after an appeal has been filed in the United States Supreme Court(attached).

Appellant, Olga Ogrod, has further been denied access to records, a determinant in United States Supreme Court Appeal.

Filed: 5-2-83

#### IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TOMLINSON CT. APTS.

CIVIL ACTION

: : :

FILED APR 1 8 1983

OLGA OGROD

NO. 82-1626

#### ORDER

AND NOW, this & That day of APPIC, 1983, the clerk of this court is directed to transfer the state court record of the above-captioned case and a certified copy of the docket entries of this court to the Court of Common Pleas of Philadelphia County.

BY THE COURT:

ENTERED: 4/19/83

copy to:

Olga Ogrod, p.p.

CLERK OF COURT

# OFFICE OF THE CLERK SUPREME COURT OF THE UNITED STATES WASHINGTON, D. C. 20543

June 15, 1983

Ms. Olga Ogrod Tomlinson Court Apartments F-7A 1761 Foster Street Philadelphia, Pennsylvania 19116

> RE: Olga Ogrod v. Tomlinson Court Apartments No. 82-6720

Dear Ms. Ogrod:

Your application for recall and stay of mandate was received on June 13, 1983 and is herewith returned for failure to comply with Rule 44.4.

Before applying for recall and stay of mandate in this Court, it is necessary that you exhaust your lower court remedies by applying for a stay in the courts below. If you are denied a stay there, you may then make an application for a stay in this Court. If you do so, it will be necessary that you attach copies of the orders of the courts below denying a stay there.

Very truly yours,

ALEXANDER L. STEVAS, Clerk

Katherine Downs

Assistant Clerk

gtb Encl. IN THE UNITED STATES SUPREME COURT
FROM THE UNITED STATES COURT OF APPEALS
THIRD CIRCUIT

V.

TOMLINGON CT. APTS.

OLGA CGRCD, APPELL'NT No. 82-1294 and 82-1359 (C.A.)

U. S. DIST ICT NO. 82-1626 (Removal related to 82-1409) (Discrimination in Housing) JUN 13 1983

OFFICE OF THE CLERK SUPREME COURT, U.S.

APPELLANT'S SECOND DEMAND TO RECALL MANDATE AND TRANSMIT RECORD TO THE UNITED STATES SUPREME COURT DIRECTED TO THE JUSTICES OF THE UNITED STATES SUPREME COURT FIRST DEMAND MADE PER DOCUMENT FILED MAY: 27,1983(attach.)

PER U.S. SUPREME COURT RULES PART VIII-PRACTICE RULE 28 - - 2 - ALL

PROCEEDINGS ART MULL AND WOLD IN RELATED ACTION 82-1409 AS ABOVE APPEAL

TIMELY FILED ON FEBRUARY 28, 1983.

to the Justices of the United States Supreme Court that ALL PROCEEDINGS in District Court of U. S. and Court of Appeals - Third Circuit - 82

D. C. No. 1409 and C.A. Nos. 63=1199 and 63=1200 are NULL AND VOID as made during STAY granted to Appellant who filed Appeal to the U. S. Supreme on February 28, 1983 - TIMELY FILED per U. S. SUPREME COURT RULES PART VIII - PRACTICE Rule 28 - - (2) (Multiple Supersedess bonds filed)

APPELLANT, Olga Ogrod, further demands that all records

be transmitted to the United States Supreme Court where Appeals 82-6720 and 82-6850 have been docketed and perfected.

APPELLANT, Olga Cgrod, demands the RECALL OF MANDATE issued during STAY OF PROCEEDINGS in violation of Appellant's Civil-Rights.

Filed May 27, 1983 ReFiled June 10, 1983 Respectfully submitted,

Tomlinson Ct. Apts. F-7A 1761 Foster Street Phile., Pa. 19116 No\_ 82-6720

IN THE UNITED STATES SUPREME COURT
FROM THE UNITED STATES COURT OF APPELLS
THIRD GIRCUIT
TOMLINSON CT. APTS.

v.

CLG4 CCRCD, Appellant

No. 82-1294 and 82-1359 (C.A.)

U. 3. District No. 82-1626 (Removal related to 82-1409) (Discrimination in Housing)

APPELLANT'S AFFIDAVIT - NOTARIZED PER U. S. SUPREME COURT RULES

PART VIII. - PRACTICE Rule 29 - (2) TO 3E TIMELY FILED

As per Supreme Court Rules of the U. S. PART VIII

Rule 28 - 2 APPELLANT, Olga Ogrod, avers the following:

Jurisdictional Statement originally mailed

certified - Return Receipt (see exhibit) FEBRUARY 28, 1983

and was timely filed to stay mandate.

First Demand to Recall made per attached exhibit
WAY 27, 1983 - EXPRESS WAIL - RETURN RECEIPT ATTACHED.

Second Demand to Recall Mandate made this date filed - EXPRESS MAIL - June 10, 1983-Return Receipt requested.

Appellant, further avers that the following were served by First Class Postage prepaid - U. S. this day, June 10, 1983

Edward Hughes, Esq. Solicitor General of U. S. Phile. Fair Housing.

THIS 10 th DAY June

LA AGROD, Appellant

1983

Glenn Weinstein

IN THE UNITED STATES SUFREMS COURT
FROM THE UNITED STATES COURT OF APPEALS
THIRD CIRCUIT
TOULISSON COURT APTS.

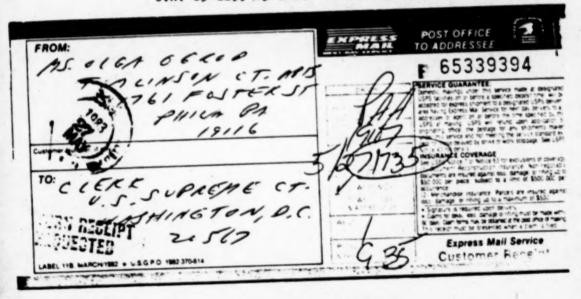
V.

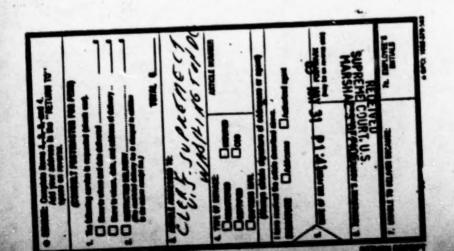
CLGA COROD, ATTELLANT

NO. 82-1294 and 82-1359 (C.A.)

U.S. District Ct. No. 82-1626 (Removel Related to 82-1409) (Discrimination in Housing)

FIRST DEMAND MADE AMAY. 27,-1983-RECALL OF MANDATE TRANSCISSION OF RECORD - ALL PROCEEDINGS D.C. 82-1409 C.A. 83-1199-88-1800 - NULL AND VOID





RECEIVED

NO.\_\_\_ 82-6720

IN THE UNITED STATES SUFFEME COURT

OFFICE OF THE CLERK SUPREME COURT, U.S.

MAY 3 1 1983

FROM THE UNITED STATES COURT OF APPEALS

THIRD CIRCUIT

TOMLINSON CT. \PTS.

OLGA OGROD, AFFELLANT

NO. 82-1294 and 82-1359 (C.A.)

U. S. District Court No. 82-1626 (Removel related to 82-1409) (Discrimination in Housing)

APPELLANT'S NOTICE OF RECALL OF MANDATE AND DEMAND TO TANSMIT RECORD
TO THE UNITED STATES SUPREME COURT AS PER FEDERAL RULES OF APPELLATE
PROCEDURE.

Deen wichted under the Civil Rights Act of 1964 is demanding the RECALL OF MANDATE AND THE TRANSMISSION OF RECORD TO THE UNITED STAT'S SUPREME COURT (second request). All proceedings in related Discrimination in Housing Complaint 82-1409 U.S. District Eastern District of Pa. and U.S. Court of Appeals Nos. 83-1199 83-1200 are NULL AND VOID and in violation of Appealant's Constitutional Hights to STAY OF MANDATE and further proceedings.

CLAA OGROD, Appellant

Tomlinson Ct. Aprs. F-7A 1761 Foster Street Phila., Fo. 19116

Filed 5-27-83

IN THE UNITED STATES SUPREME COURT FROM THE UNITED STATES COURT OF APPEALS EASTERN DISTRICT OF PENNSYLVANIA

TOMLINSON CT. AFTS. W3.

OLGA OGROD, Appellant

No. 82-1294 and 82-1359 (C.A.)

U.S. District Court No 82-1626 (Removal related to 82-1409-) Discrimination in Housing )

APPRILANT'S NOTARIZED STATEMENT (per Supreme Court Rules of U. S. (PARTVIII - PRACTICE - Rule 28 -

As per Supreme Court Rules of the U. S. FART VIII Rule 28 - 2, APPELLANT, Clga Cgrod, avers the following: Jurisdictional Statement originally mailed certified - Return Receipt (see exhibit) - February 28, 1983 and was timely filed to stay mandate.

Tomlinson Ct. Apts. F-74 1761 Foster Street Phila., Pa. 19116

SWORN TO AND SUBSCRIBED:

Weisstein

**GLENN WEINSTEIN** Notary Public, Phila, Phila. Co. My Commission Expires Dec. 14, 1988

## UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 82-1294 and 82-1359

TOMLINSON COURT AFTS. VS OLGA OGROD. Appellant

D C. Civil No. 1626

APPALLANT'S NOTICE OF APPEAL TO THE UNITED STATES

STAY MANDATE

AFFELLANT, Olga Ogrod is appealing the above captioned case to the United States Supreme Court.

The last order entered was January 24, 1983.

Cated: January 28, 1983

RECEIVED

SUPREME COURT, U.S.

IN THE UNITED STATES SUFREIZ COULT MAR FROM THE UNITED STATES COURT OF AT OFFICEOF THE CLERK EASTERN DISTRICT OF FENNSYLVANIA

TOMLINSON CI. AFTS.

CLOA "GROD, Appellant

No. 82-1204 and 82-1359 U. S. Dist Court No. 82-1626

Ms.Cler Ogrod

1761 Foster

Tomlinson Ct. Apts. F-7A

AFFEAL

P 408 963 650 RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED-NOT FOR INTERNATIONAL MAIL

(See Reverse)

TOUR CT	-0F4 10C
Person	. 88
Cartified Fee	75
Special Delivery Fee	
Restricted Dalivery Fee	
Return Receipt Showing to whom and Date Delivered Return Receipt Showing to whom, Date, and Address of Bellugry	60
TOTAL Possession SOL	223

BALLY MRVOS

#### UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT

21400 UNITED STATES COURTHOUSE

INDEPENDENCE MALL WEST

SOI MARKET STREET PHILADELPHIA 10106

March 8, 1983

DIRECT DIAL 597-3134

Mr. Michael E. Kunz, Clerk U.S. District Court Eastern District of Pa. 2609 U.S. Courthouse 601 Market Street Philadelphia, PA 19106

> Re: Tomlinson Court Apts. vs. Ogrod, Olga, Appellant Nos. 82-1294 and 82-1359 (D.C. Civil No. 82-1626)

Dear Sir:

Enclosed herewith is a certified copy of the judgment order in the aboveentitled case(s). This certified judgment order is issued in lieu of a formal mandate and is to be treated in all respects as a mandate.

We return herewith the record and will appreciate your signing the enclosed list as a receipt for same.

Counsel are advised of the issuance of the mandate by copy of this letter. A copy of the certified judgment order is also enclosed showing costs taxed, if any.

Enclosure

cc:

Mr. Olga Ogrod

Stephen Bosch, Esquire

IN THE UNITED STATES SUPREME COURT

DIRECT APPEAL

FROM

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

RECEIVED

JUN 2 8 1983

OFFICE OF THE CLERK SUPREME COURT, U.S.

NO. 82-1626 (REMOVAL - Civil Rights Act of 1964)

(CA No. 82-1294) (CA No. 82-1359)

TOMLINSON COURT APARTMENTS

V.

OLGA OGROD, APPELLANT

#### AFFIDAVIT OF SERVICE

APPELLANT, Olga Ogrod avers the following: She has mailed my first class U. S. Postage - preparid this date June 28, 1983 - jurisdictional statement to the following:

> Edward J. Hughes, Esq. One Montgomery Plaza Norristown, Pa.

Phila. Fair Housing City Hall Annex Phila., Pa. 19107

Attorney General of U. S. Washington, D. C.

Sworn to and subscribed

this 28th day June of

Stenn Weinstein

173 %

**GLENN WEINSTEIN** Notary Public, Phila., Phila. Co. sion Expires Dec. 14, 1985